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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221981
Party	Defendant NutriMost
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Submission	Motion to Amend Application
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Date	06/01/2016
Attachments	2975001US1AO Amendment.pdf(172181 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Nutri/System IPHC, Inc.,)
Opposer,	
V.) Opposition No. 91221981
NutriMost LLC,) (Serial No. 86/421639))
Applicant,))

CONSENTED REQUEST TO AMEND THE APPLICATION PURSUANT TO TBMP 605 – SETTLEMENT AGREEMENT

Applicant, NutriMost LLC, through counsel, requests that the Board enter an amendment in the application, NUTRIMOST, U.S. Trademark Serial No. 86/421639 to add language to the identification of goods and services. Applicant hereby requests that the identification of goods be amended as follows (added language is underlined):

DIETARY AND NUTRITIONAL SUPPLEMENTS USED FOR WEIGHT LOSS

ONLY OFFERED THROUGH OFFICES PROFESSIONALLY SUPERVISED BY

HEALTHCARE PRACTITIONERS in Class 5

PROVIDING WEIGHT LOSS AND NUTRITIONAL PROGRAM SERVICES

ONLY OFFERED THROUGH OFFICES PROFESSIONALLY SUPERVISED BY

HEALTHCARE PRACTITIONERS in Class 44

Opposer, Nutri/System IPHC, Inc., consents to the amendment.

Applicant hereby requests the approval of the foregoing amended identification of goods and services by the Trademark Trial and Appeal Board.

Nutri/System IPHC, Inc., By its Attorney

Lisa A. Lori, Esq.

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Dated: 1 3016

NutriMost, LLC By its Attorney

aura L. Beoglos, Esq.

Sand & Sebolt

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Phone: 330-244-1174 Fax: 330-244-1173

Email: laurab@sandandsebolt.com

Dated: <u>Way 25, 20(6</u> Attorney Docket: 2975001US1AO

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of 5 2016, a true copy of the foregoing Consented Request to Amend the Application Pursuant to TBMP 605 – Settlement Agreement was served via U.S. first class mail, upon counsel for Opposer:

Lisa A. Lori, Esq. KLEHR | HARRISON | HARVEY | BRANZBURG LLP 1835 Market Street, Suite 1400 Philadelphia, PA 19103 Phone Direct Dial: 215-569-2586

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